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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR18-166 RSL
10 v.)
11 MARTIN BARBOSA-GAMA,) DETENTION ORDER
12 Defendant.)
13 _____)

14 Offense charged: Illegal Re-entry after Deportation

15 Date of Detention Hearing: July 3, 2018.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
18 that no condition or combination of conditions which defendant can meet will reasonably assure
19 the appearance of defendant as required and the safety of other persons and the community.

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

21 1. Defendant is alleged to be a native and citizen of Mexico who re-entered the
22 United States without permission after deportation. His parents and five siblings reside in

01 Mexico, with a wife and two daughters residing in Marysville WA. His criminal record
02 includes a conviction for Child Molestation in the Third Degree, for which he was sentenced to
03 12 months of custody followed by deportation. He is charged with violating the conditions of
04 community custody in that matter by failing to register as a sex offender. New state charges
05 may be filed with regard to the alleged failure to register. Defendant was arrested earlier this
06 year and charged with Possession of a Controlled Substance. New criminal charges may be
07 filed in that matter. An immigration detainer has been filed.

08 2. Defendant poses a risk of nonappearance based on illegal status in the United
09 States, strong family ties to Mexico, a pending immigration charge, previous absconding from
10 supervision, a history of non-compliance with supervision, and a pending felony drug charge
11 alleged to have been committed while on supervision. Defendant poses a risk of danger based
12 on criminal history, possible substance abuse history, new charges while on supervision, and
13 lack of verification for defendant's background information.

14 3. There does not appear to be any condition or combination of conditions that will
15 reasonably assure the defendant's appearance at future Court hearings while addressing the
16 danger to other persons or the community.

17 It is therefore ORDERED:

- 18 1. Defendant shall be detained pending trial, and committed to the custody of the Attorney
19 General for confinement in a correction facility separate, to the extent practicable, from
20 persons awaiting or serving sentences or being held in custody pending appeal;
- 21 2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- 22 3. On order of the United States or on request of an attorney for the Government, the person

01 in charge of the corrections facility in which defendant is confined shall deliver the
02 defendant to a United States Marshal for the purpose of an appearance in connection with a
03 court proceeding; and

- 04 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for
05 the defendant, to the United States Marshal, and to the United State Probation Services
06 Officer.

07 DATED this 3rd day of July, 2018.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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